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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,480	07/18/2002	Edward A. Wolf	8196.3883	9687

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EXAMINER

TRUONG, BAO Q

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 02/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/064,480

Applicant(s)

WOLF, EDWARD A.

Examiner

Bao Q. Truong

Art Unit

2875

MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 4,5,12,13,15 and 16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,6,14 and 17 is/are rejected.
- 7) ☒ Claim(s) 7-11 and 18-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Election/Restrictions*

1. Claims 4, 5, 12, 13, 15 and 16 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species I, there being no allowable generic or linking claim. Election was made **without** traverse in Paper filed on 12/08/2003.

### *Claim Objections*

2. Claims 1, 6, 7, 8, 11, 14 and 17-20 are objected to because of the following informalities:

Claim 1, "more than one laser" should be changed to --more than one lasers--; there is lack of antecedent basis for "the effect" on line 1;

Claim 6, the preamble "The emergency signal light" does not match; there are lack of antecedent basis for "said lens" on line 4, for "said batteries and said power control circuit" on line 5, for "said handle" on line 6; "it" on line 6 should be changed to what it prefers; the phrase "The emergency signal of claim 6" on line 11 is not clear.

Claim 7, the preamble "The emergency signal light" does not match.

Claim 8, the preamble does not match; there is lack of antecedent basis for "said laser light pattern" on lines 1 and 2-3.

Claim 11, the preamble does not match; there are lack of antecedent basis for "said handle" on line 2, for "said lens" on line 4, for "said handle", "said batteries and

said power control circuit" on line 5, and for "said lens" and "said handle" on line 16; "it" on line 6 should be changed to what it prefers.

Claims 14, the preamble does not match; there are lack of antecedent basis for "said lens", "said batteries", and "said power control circuit"; "it" on line 6 should be changed to what it prefers.

Claims 17-20, the preamble does not match.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 3 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Brass et al. [US 2003/0123254].

Regarding claim 1, Brass et al. disclose a laser light system [101], a plurality of laser light generators [103, 105] forming a laser light beam array, an electrical power source [123], a laser light beam array electrical circuit, an electrical on/off switch [121, 321], a housing [120], and a light beam optical manipulation device [115, 117] (figures 1-3 and 6, paragraph [0015], [0054], [0059]).

Regarding claim 2, Brass et al. disclose laser diodes (paragraph [0015], [0054]).  
The laser diodes meet regular requirements when they are manufactured.

Regarding claim 3, Brass et al. disclose a line forming beam pattern [115, 117]  
(paragraph [0060]).

Regarding claim 17, Brass et al. disclose the housing [120] being designed  
based on available components, which could use plastic or any waterproof material  
(paragraph [0059]).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all  
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over  
Brass et al. in view of Maglica [US 4,286,311].

Regarding claims 6 and 14, Brass et al. disclose an elongated cylindrical  
member [109], a project head [107] and a lens board [113]. The member [109] encloses  
batteries [123], a power control circuit and a switch [121] (figures 1-2, paragraph [0056],  
[0057]). Brass et al. do not disclose the member having fastening threads and the o-ring  
seal.

Maglica teaches a flashlight [11] with a cylindrical member [12] having fastening  
threads [44] and an o-ring seal [51] (figures 1 and 10, column 3 lines 12-25).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the member and the project head of Brass et al. with the fastening threads and the o-ring as taught by Maglica to increase frictional hold between the project head and the member for purpose of holding the head in any adjusted position on the member.

***Allowable Subject Matter***

7. Claims 7-11 and 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 7, the laser lighting system further comprises an optical alignment means to align the laser light beams along a single plane parallel to one another.

Claims 8, 11 and 18-20 are dependent on claim 7.

Claims 9 and 10, which read on species I, are dependent on claim 7.

The limitations discussed above are neither disclosed nor suggested by the prior art of record.

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**Conclusion**

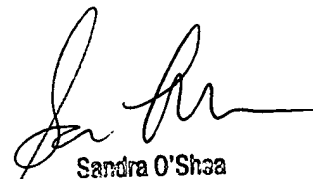
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Q. Truong whose telephone number is (571) 272-2383. The examiner can normally be reached on Monday-Friday (7:00 AM - 3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 0956.

Bao Q. Truong  
Examiner  
Art Unit 2875

BQT



Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800